

Director's report to the Fish and Wildlife Commission  
presented by Jeffrey Koenings, Ph.D., WDFW Director  
June 18, 2005

#### A Sound Stewardship of Fish and Wildlife

We serve Washington's citizens by protecting, restoring, and enhancing fish and wildlife and their habitats, while providing sustainable fish and wildlife-related recreational and commercial opportunities.

#### GOAL I: HEALTHY AND DIVERSE FISH AND WILDLIFE POPULATIONS DEVELOP, INTEGRATE AND DISSEMINATE SOUND FISH, WILDLIFE AND HABITAT SCIENCE.

Sharp-tailed Grouse Relocation: Biologists from many agencies and regions gathered in Idaho and British Columbia to capture sharp-tailed grouse for a translocation project in north-central Washington. After years of planning, the capture and translocation of 60 sharp-tailed grouse was accomplished with substantial success. The translocated grouse will now be followed with the aid of radio telemetry, and their productivity and movement will be monitored. Thanks to all that participated and worked on logistics for this effort.

Spotted Owl Habitat Assessment Project: Staff completed a draft report titled "An Assessment of the Status of Spotted Owl Habitat on Non-federal Lands in Washington Between 1996 and 2004." This first draft report was produced through an Interagency Agreement between the Washington State Department of Fish and Wildlife (WDFW) and the Washington State Department of Natural Resources (DNR). WDFW and DNR distributed this first draft report to representatives of the Timber, Fish, and Wildlife caucuses; members of the Washington State Forest Practices Board; four wildlife scientists who are experts in spotted owl biology, forest habitat, and/or statistical analysis; and two newspaper reporters as requested. The first draft report was distributed to allow others to provide comments to WDFW and DNR before a second draft is prepared for a blind peer review. Comments on the first draft were due June 7. WDFW and DNR intend to submit a second draft of the report for blind peer review on June 15.

Following blind peer review, WDFW and DNR will finalize the report. A final draft of the report will be presented to interested parties the first week of August, before the report is formally presented, along with other information on northern spotted owls, to the Forest Practices Board on August 9. WDFW and DNR do not intend to comment on the content of this report until a blind peer review has been completed and the report has been finalized. Until that time, anything in the report is subject to change. Any questions regarding this first draft report should be directed to John Pierce.

Third Annual Sardine Meeting: IRM staff attended an annual sardine meeting in Oregon the week of May 9. The purpose of the meeting was to share information and learn about different research initiatives that have concluded and/or are proposed for sardines. Presentations included a review of multi-decade changes in the Eastern Tropical Pacific Ocean and the effect on sardines and anchovies; a

discussion of how sardines are fitting into the Pacific Northwest ecosystem; and a presentation on fish genetics, including a proposed approach to determine whether there are separate stocks on the West Coast. Department staff will continue to collect biological and age samples for use in determining the status of the sardine stock and may assist with the collection of genetic data to further the exploration of separate northern and southern stocks.

Science Improvements: Officer Bolton discussed forensic testing with Ken Warheit, who is the Wildlife genetic scientist for our agency. Two deer samples are to be tested for a closed season tribal deer case. Dr. Warheit advised Officer Bolton that sex could now be determined from meat samples and probably within the next three years geographic location within species of deer could also be confirmed, such as Westside black tail verses Cascade black tail.

Concerned Friends of Ferry County Court Appeal: On May 12, the Supreme Court in Ferry County heard oral arguments regarding the appeal filed by Ferry County on a Growth Management Hearings Board decision regarding the use of Best Available Science (BAS) in the development of its comprehensive plan and critical areas ordinance. The state filed a neutral amicus brief in the appeal to clarify the use of BAS. The decision by the court will potentially have an impact on how BAS will be utilized in the future by local jurisdictions in their GMA (Growth Management Act) updates.

Stream Habitat Restoration Guidelines Presentation: Technical Applications (TAPPS) Division staff gave a 40-minute Power Point presentation at the WDFW Habitat Program's All Hands Meeting in Wenatchee. Staff presented the recently published Stream Habitat Restoration Guidelines (SHRG), which was co-published by the WDFW, Washington Department of Ecology, and the U.S. Fish and Wildlife Service. The SHRG document is the third major Aquatic Habitat Guidelines document to be released by WDFW within the last three years. The other two include: Fish Passage Design at Road Culverts: a Manual for Fish Passage at Road Crossings, and the Integrated Streambank Protection Guidelines. The purpose of SHRG is to promote process-based stream restoration by rehabilitating aquatic and riparian ecosystems toward the process equivalent of a minimally human-altered condition. Approximately 85 printed copies of the SHRG manual were distributed at the All Hands Meeting to WDFW area habitat biologists, watershed stewards, and other biologists and environmental engineers directly involved with habitat restoration projects. The SHRG document is also available on the WDFW website at: <http://wdfw.wa.gov/hab/ahg/shrg/index.htm>.

National Fish Habitat Initiative: Hal Beecher was recruited to the Science Committee for the National Fish Habitat Initiative, which has substantial Congressional funding. Jeff Koenings was an early proponent. The Science Committee is charged with classifying aquatic habitats (fresh and marine) of the United States, identifying threats to those habitats, and identifying indices to monitor, to determine whether there is progress in improving habitat. Project will be map-based.

Mussels and Placer Mining: A discussion on the current state of knowledge of freshwater mussels in the Similkameen River and the implications of recreational placer mining was held in Wenatchee. The meeting was initiated by the request for an HPA for the mining rally because little is known about the

life history or status of the freshwater mussel species in Washington. A second meeting was held with WDFW Commissioner Dr. Chew who is a bivalve research expert. Science staff cooperated in developing suggestions for prioritizing and implementing research on the status of mussels in the Similkameen River and the likely effects of placer mining.

Skagit Recovery: The Skagit Chinook Recovery plan was submitted to and reviewed by the Technical Recovery Team (TRT). The Skagit River System Cooperative, with review and input from WDFW, primarily prepared the plan. Of all the plans reviewed thus far, according to TRT, the Skagit plan was one of the best based on its excellent technical basis and clear goals and direction. A presentation of the plan was also made to a gathering of Skagit Valley agricultural leaders. Although it was noted that differences still exist, the Skagit farmers were pleased to be the first public group to review the document, and they will be providing comments. Presentations will be made to Skagit County on June 3 and to the Skagit Watershed Council on June 8. The plan is scheduled for the public on June 10.

#### PROTECT, RESTORE, AND ENHANCE FISH AND WILDLIFE POPULATIONS AND THEIR HABITATS.

Suspects Nabbed With Trout Overlimits and Logbooks: Officer Haw was called out to a gross trout overlimit on Pattison Lake. The suspects caught approximately 90 trout and stashed them in hidden compartments of the boat. They were using 5 rods at a time, baited with Power Bait. Approximately 30 of the trout were discarded in the operation.

A Lacey Police Department Commander who was instructed by Officer Haw to keep notes until Officer Haw arrived on the scene observed this whole incident. This experienced cop noted that the men seemed to be writing something down with each trout retained. The boat and trailer was seized for intended forfeiture when logbooks were discovered in possession of the suspects. These log books documented at least 14 other dates in April and May where they caught similar numbers of fish. Full written confessions were secured, including a written explanation of the logbook entries. These logbook entries approximate observations made by numerous other witnesses. Numerous violations will be filed by complaint when the logbooks are fully examined and more witnesses are interviewed. Officer Haw wishes to thank Bobbi Monk for alerting him to this situation!

Wild Birds in Illegal Captivity: Detachment 19 (Benton County) WDFW Officers executed a search warrant at a residence in Kennewick known for keeping wild birds in captivity without permits. Assisted by Kennewick Police Department, City of Kennewick Building Inspectors, and Code Enforcement staff, our officers seized almost 200 (187) deceased wildlife specimens and about 9 live wild birds possessed under conditions of indescribable filth and unsanitary conditions. The suspect, known as the "Bird Lady of Kennewick," was lodged in the Benton County jail on fish and wildlife charges and felony animal cruelty charges.

Warrant for Arrest Being Issued for Gillnet Problem: Officers received information on a chronic gillnet problem on the Chehalis River near Oakville and assembled a team which was dropped off in the brush on the opposite side of the river and spent the night in the pouring rain doing surveillance, and using

night vision gear. At 0300 hours, the suspect arrived on a bicycle and set a gill net. The suspect was identified and has been repeatedly arrested for the crime over the last several years, in the same area. The suspect was able to evade capture but the case has been filed and an arrest warrant is being issued.

**Halibut Emphasis Patrol:** Officers implemented the annual coastal recreational Halibut emphasis patrol near La Push and Neah Bay. This was a cooperative effort with several officers throughout the program, and agents from NOAA Fisheries. Boat patrols were deployed from Westport, La Push, and Neah Bay in a combined effort to monitor the Yelloweye and Canary Rockfish mortalities (retained or discarded) associated with the Sport Halibut and Commercial Salmon Troll fisheries. Five vessels (one NOAA and four WDFW) and the WDFW aircraft were used in this patrol, to include the Corliss. Friday the 13th (May 13, 2005) provided for a tremendous amount of fishing activity throughout Marine Areas 3 and 4. A minor storm front blew ashore on Saturday and rough seas caused most of the anglers to stay east of Cape Flattery and into the Strait of Juan de Fuca. Patrols resulted in numerous arrests to include: unlawful Canary possession, overlimits of Halibut, fail to submit catch violation, possess Yelloweye closed season, possess Rockfish and Lingcod in a mutilated condition so that species and size cannot be determined, possess undersized Lingcod, fish in a closed area (the Yelloweye conservation area), commercial vessel retaining groundfish in the RCA, and possess undersized commercial Chinook.

**WDFW Assists NOAA In Fish Kill Investigation:** NOAA Fisheries Special Agents contacted WDFW about a reported fish kill on the Elwha River. Enforcement officials met with WDFW Habitat personnel in Port Angeles to get preliminary information about the violation. A stream channel connected to the Elwha is a water diversion for a pump station that supplies water to the Nippon Paper mill and the City of Port Angeles. As part of the annual clean out of the intake screen, employees de-watered the channel, killing several hundred fish. Biologists who discovered the scene took photographs and collected samples of the dead fish. A large proportion of the fish that were killed were tentatively identified as the ESA-listed Chinook salmon. ESA-listed Bull trout may also be part of the fish kill. The cooperative investigation will determine the scope of the damage and the parties involved.

**Landowner Incentive Program (LIP) Cooperative:** WDFW has signed an agreement with the Natural Resources Conservation Service (NRCS) for WDFW LIP staff to cooperatively administer \$920,000 from the Wildlife Habitat Incentives Program (WHIP) of the federal Farm Bill. About one third of these funds were earmarked for salmon restoration while the remainder was distributed among fish and wildlife projects statewide. This will allow us to fund an additional \$741,000 of LIP applications with WHIP funds. This is in addition to the original \$760,000 we had available through LIP in 2005.

**DNR-WDFW & Rocky Mountain Elk Foundation Meeting:** DNR hosted a joint meeting with WDFW and the Rocky Mountain Elk foundation wherein RMEF explained their western Washington and eastern Washington initiatives. DNR reviewed with RMEF and WDFW upcoming exchange potentials, many of which would provide substantial benefits to elk. There may be some opportunities created by these exchanges for WDFW to secure the Perpetual Timber Rights on 25,000 acres of the Oak Creek Wildlife Area. These rights were severed from WDFW land in exchange for additional land in 1951. It was unfortunate the term was perpetual rather than for a period of years.

Washington Cattlemen's Association (WCA): Edd Bracken and Dave Brittell attended the WCA board meeting in Ellensburg. Dave discussed the Fish and Wildlife Commission's domestic livestock grazing policy and how it is implemented. Edd gave a summary of current livestock grazing permits and potential opportunities that currently are being addressed through the wildlife area planning process. The group also discussed procedures involved in bids for livestock grazing permits and WDFW participation in Coordinated Resource Management efforts. State Chair Jim Sizemore expressed interest in following up on a "pilot project" concept in which WCA would have the lead role in developing a livestock grazing program on a wildlife area. There are still many questions about procedure and location for such a "pilot project," and further discussion is planned in June.

Asotin Creek Wildlife Area - RMEF Work Party: Bob Dice, Asotin Creek Wildlife Area Manager reports that on May 21, 2005, over 30 volunteers from RMEF worked all day on smoothing Iron Ridge, removing approximately 2.5 miles of old barbed wire fence and restoring a mud clogged spring on Cook Ridge. The spring work included cleaning the spring boxes, installing a new water pipeline, cleaning the stock tank, installing new drain field rock, and installing a float to conserve water. The spring will provide water to elk in the vicinity of the 30-acre clover planting on Cook Ridge. Several short fences in disrepair were removed. Most significantly, the old fence that formed the west boundary of the Schlee property was removed, which is visually a big change for the area. The volunteers will be returning to tackle the task of cleaning up the old dumps on the lower Schlee acquisition in June.

Weed Control: The North Puget Sound Weed Crew completed a cooperative project with the Tulalip Tribe mowing and digging spartina. The crew also toured spartina infestations with Washington State Department of Agriculture (WSDA) in preparation for an aerial spray of spartina on WDFW lands. Scotch broom and thistle were treated at the Killebrew Lake site on Orcas Island, and one acre of thistle was sprayed at Salmon Creek near Port Townsend.

Les Holcomb and Russ Nunez from the Willapa Weed Crew completed an aerial survey of Willapa Bay to assess the spartina infestation. Information gathered will help plan this year's control strategy. The Willapa Crew also helped pull mouseear hawkweed and mow tall oatgrass at Scatter Creek Wildlife Area. Mowing will help control the tall oatgrass and prevent reinvasion. The areas sprayed with Poast and Fusilade look very good with the tall oatgrass being controlled and native grasses and forbs being unaffected. At the request of the Pacific County Weed Board, the Willapa Crew cut the remaining gorse on WDFW property just outside of South Bend.

Drought: IRM staff attended the Executive Water Emergency Committee meeting in April. Drought updates were provided by the involved agencies and the committee planned for an upcoming meeting in Yakima in May. The Yakima committee meeting is one of several being planned at the Governor's request to allow for increased public outreach and awareness of drought issues and the state agencies' responses to the drought. The Drought Response Team continues to refine the 2001 drought projects list, update the 2001 HPA, and provide updated drought material for the Department website.

IRM staff convened the Drought Response Team the week of April 25 to continue refining the 2005 drought projects list and to continue work on permitting and project planning. IRM staff met with the Region 5 management team (and will meet with all regions eventually) to present the 2005 drought planning efforts and to solicit input from the region for additional drought needs. There is at least one cooperative drought project between the Department and local volunteers planned for the Washougal River.

IRM staff met with the Department of Ecology (Ecology) Drought Operations Committee. At issue is some strong sentiment from the nursery industry that the drought declaration should be rescinded for western Washington. There was no support for this idea among the state agencies. However, the agencies agreed to provide supporting documentation to Ecology for its use in a meeting between the Governor's Chief of Staff and representatives from the nursery industry. The strategy will be to continue the drought declaration, but to find ways to minimize drought impacts on the nursery industry.

Department staff were successful in working with others to successfully negotiate a contract with the Eastside/Westside Irrigation Districts to provide "pulse flows" in the lower Touchet River and Walla Walla River for the 2005 smolt out-migration period. Depending on the success of the pulses, the Department will be looking to develop this into a long-term drought year protocol for providing improved passage conditions for both juvenile and adult salmonids.

Drought early action funding: Negotiations were completed with Ecology and a contract received from the Emergency Drought Account for \$200,000 for the Department's drought related early action projects. Initial projects will be targeted at a defined list of hatchery, water access area, fish salvage, and fishery monitoring emergency needs.

IRM staff attended the Executive Water Emergency Committee meeting (EWEC). The majority of the meeting involved planning EWEC public meetings to be held in key drought affected areas. The first three meetings are tentatively scheduled for Wenatchee, Yakima, and Sequim. The meetings will be announced in the media; state and federal legislators and tribal officials will be invited to attend. The Department will participate as members of EWEC. Regional Directors will be invited and we will provide technical information regarding fish and wildlife issues.

IRM staff met with the Region 3 management team and Region 3 staff emphasized Department enforcement needs (aerial surveillance, illegal water withdrawals, HPA violations/compliance). Regional staff will coordinate with Ecology regional staff for opportunities to do joint enforcement of illegal water withdrawals. Funding from Ecology may be possible for these efforts.

Flow Rule Adoption Hearings: Department staff have testified and introduced letters of Department support at recent public hearings for adoption of instream flow rules in the Skagit (modification of existing), Stillaguamish, and Entiat basins. There are approximately ten instream flow rule adoption processes in the "pipeline" for intended completion in 2005. Their completion will represent a significant step forward since only one other flow rule has been adopted since 1986. The Department's ability to

publicly support adoption of these rules is a key to their passage. In each case, of course, our ability to do so is a reflection of prior and ongoing science and policy collaboration, negotiations, and hard work between Department and Ecology staff and others.

Washington State Department of Transportation (WSDOT) Fish Passage Inventory: The annual WSDOT Fish Passage Inventory report was recently completed, delivered to WSDOT, and distributed to the usual recipients. The TAPPS Division produces the WSDOT Fish Passage Inventory Progress Performance Report, which highlights accomplishments with the WSDOT inventory and completed passage correction projects since the previous year's report. Completed fish passage projects are also evaluated to ensure they are functioning as expected. The report is available online at WSDOT's web site:  
[http://www.wsdot.wa.gov/environment/fishpass/state\\_highways.htm](http://www.wsdot.wa.gov/environment/fishpass/state_highways.htm).

Cooperative Conservation Award: The Olympia oyster restoration project spearheaded by the Puget Sound Restoration Fund (PSRF) has been selected to be a representative case study at the White House Conference on Cooperative Conservation. The prestigious, invitation-only event will take place in St. Louis, Missouri on August 29-31. Our agency, along with several Tribes, commercial shellfish growers and grassroots volunteers, have been instrumental in the project, growing Olympia oyster "seed" and providing expert advice on where and how to best augment native oyster populations. The Olympia oyster project is one of only thirty projects selected nation-wide for the agenda.

ENSURE WDFW ACTIVITIES, PROGRAMS, FACILITIES, AND LANDS ARE CONSISTENT WITH LOCAL, STATE, AND FEDERAL REGULATIONS THAT PROTECT AND RECOVER FISH, WILDLIFE, AND THEIR HABITATS.

National Farm Bill Working Group: Don Larsen attended the second meeting of the Theodore Roosevelt Conservation Partnership Farm Bill Working Group in Chicago. This is a small group developing strategies for the 2007 federal Farm Bill. Representatives include the National Wildlife Federation, Trout Unlimited, IAFWA, Pheasants Forever, Ducks Unlimited, Wildlife Management Institute, Izaak Walton League, North American Grouse Partnership, Rocky Mountain Elk Foundation, Farm Service Agency, Natural Resources Conservation Service, and several other invited state wildlife agencies.

Hood Canal Recreational Spot Shrimp Season Officially Over: As everyone who has patrolled can attest, this was quite the challenging season. For the second shrimp day in a row, a major overlimit violation was caught (three total for the entire season) and it has come to light that a regulation change needs to be implemented to curtail the "ferrying" in and "landing" of shrimp that allows overlimits to occur. This last case was a perfect example of how people are using the current regulations to attempt taking overlimit without a lot of fear of being caught. The story plays out as follows: Sgt. Nixon has an excellent eye for these shrimp violations and was the first to detect this last case. As Sgt. Nixon was in a concealed location, observing shrimp fishers, he witnessed a man and woman pull shrimp gear; they appeared to harvest at least their daily limit of shrimp. The couple quickly headed to shore and shuttled the shrimp to their RV. They left the shrimp gear out in the water actively fishing, as there were still 2 hours left in the season. Sgt. Nixon contacted Officer Anderson and Sgt. Sprecher, who were out on boat patrol and advised them of what may be occurring. Officer Anderson and Sgt. Sprecher proceeded to the area and

prepared to contact the couple after they went out and pulled gear again. Like clockwork the couple headed out and proceeded to pull gear and harvest another large amount of shrimp. All the shrimp were retained and the people headed for the dock where they were met by Officer Anderson and Sgt. Sprecher. The couple produced their "legal limits" of shrimp and when questioned if this was all they had, the same old story of "this was their only pull of the day" and "no, they had not landed any other shrimp" came out. When Sgt. Nixon arrived at the dock, they were confronted with the facts, and after the dust settled, a total of 872 shrimp were in the couple's possession, 712 overlimit! (400+ came out of the RV). As every officer who has patrolled this season and observed people landing "just under" or "right at" the limit of shrimp only one hour into the season and the gear still remaining in the water fishing, can attest, something needs to be done. Officer Anderson has started a dialog with Point Whitney biologists in an effort to construct a regulation to stop this behavior that prohibits the landing of any shrimp unless the gear is out of the water and the fisher is done for the day.

#### INFLUENCE THE DECISIONS OF OTHERS THAT AFFECT FISH, WILDLIFE AND THEIR HABITATS.

Kid's Fishing Events: Enforcement Detachments Four and Five (Cowlitz and Clark counties) attended the Kline Kid's Fishing Derby. Total registration was reported at 1,510 participants. Heavy rains the night before and morning of the event kept a few families away, but many braved the weather. A local grass roots group opposed to a proposed methadone clinic in the area advised Clark County Parks that they would be attending and protesting the clinic. The heavy rains kept them away as well. A small group of well-behaved protesters did show up late in the afternoon. Also, in Woodland, officers attended the Horseshoe Lake Kid's Fishing Derby. A very heavy rain did not prevent the kids from having fun or the fish from biting. Approximately 300 kids participated. In Region Six, officers assisted with the Longs Pond juvenile fishing event. The fish were eager and the children and the officers had a great time.

Biological Opinion: IRM staff participated in development of a second brief regarding the current Federal Columbia River Power System (FCRPS) Biological Opinion (BiOp) lawsuit. The amicus brief advised the court not to grant the plaintiff's motion for injunctive relief because the proposal is too vague, the benefits are not estimated, and collateral impacts for listed, and resident fish would be severe this year. Instead, the Department favors implementation of 2000 BiOp spill and flow provisions, with emphasis on a more collaborative approach to studying and modifying fish passage strategies.

Columbia River Initiative (CRI) Update: The Legislature funded \$16 million of the \$17 million requested of capital funds for CRI projects, but in a confusing last minute maneuver, the Legislature provided almost no operations funding. Ecology is still trying to sort this out. They indicated that the Lake Roosevelt studies (\$200K) portion of the operating budget would be funded out of capital instead of operational, so we should receive that portion of our request.

Governor Gregoire is drafting letters to key legislators to initiate the "Five Corners" process, inviting key legislators to participate. The purpose of the process will be to determine whether a package can be put together for consideration by the 2006 Legislature. The Governor is stressing that the package must have the same principles that have been endorsed by CRI - water for people and fish - with certainty



through resolution of the conflicts that produce the stalemated status quo. The Five Corners process will focus on bringing legislators up to speed, and then communication between key stakeholders and legislators, about the package.

Pacific Salmon Commission (PSC): Concerns have been raised over possible increased impacts on Washington-origin chinook salmon stocks, such as Columbia River spring chinook, caused by changes in the timing of Canadian West Coast troll fisheries. This topic was discussed in early May with PSC Commissioners and Chinook Technical Committee (CTC) members. Assignments to conduct a bilateral evaluation of the potential impacts may be made to the CTC through the Chinook Interface Group, if sufficient support for investigation of this concern can be generated.

Northwest Pipeline Capacity Replacement Project: This project is to replace 79 miles of existing natural gas pipeline through sections of Whatcom, Snohomish, King, Thurston, and Pierce Counties. To do so, they will be digging through hundreds of streams and wetlands, and will attempt to bore under the Nisqually River, North and South Forks of the Stillaguamish River, and the North Fork Nooksack River. The river borings will be attempted during fall 2005. The majority of this 79-mile project will be built in 2006. WDFW is a cooperating agency with the Federal Energy Regulatory Commission (FERC) on this project. This allows us to review and discuss the environmental impact statement and other aspects of the project directly to the FERC without going through the formal commenting process. We are also working with the company to address issues of concern. So far the company's responses to many, but not all, of the WDFW concerns have been favorable. The FERC responses have not been as positive.

Washington Ocean Policy Council: IRM staff attended the first meeting of the state's Ocean Policy Council during the first week of June. The purpose of this initial meeting was to discuss the intent of the legislation, including the expected work products and timelines, and the composition of the group. The core group will be comprised of representatives from the following state agencies: Fish and Wildlife; Ecology; Natural Resources; Community, Trade, and Economic Development; and Parks and Recreation. Representation will also include the coastal treaty tribes, Governor's Office, key legislative staff, and coastal counties, cities, and the Washington Port Association. In addition, the Council may request individual experts to assist in an advisory capacity.

The primary purpose of the Washington Ocean Policy Council is to review the recommendations of the U.S. Commission on Ocean Policy and develop a course of action to implement changes to policies and administrative code, as appropriate. The first work product, a report to the Legislature on the results of the review, is due by December 31, 2005. The second product, a more thorough compilation of recommended changes and a plan for implementation, is due by the end of 2006.

Wild Horse Wind Power Project: The Wild Horse Wind Power Project proposed for Kittitas County received approval from the Energy Facility Site Evaluation Council and has been forwarded to Governor Gregoire. Final approval for the project is expected in July.

Yakima Basin Salmon Recovery Plan: The Yakima Subbasin Fish and Wildlife Planning Board met to review progress on the Yakima Salmon Recovery Plan and to prepare for the public release of the draft. The Yakima Basin Storage Alliance also made a presentation to the Planning Board regarding the ongoing Storage Feasibility Study by the Bureau of Reclamation and the environmental benefits of Black Rock Reservoir. The Alliance, which contains many members of the local irrigation community, expressed support for the Salmon Recovery Plan and emphasized the strong relationship between salmon recovery and Black Rock. They requested that Black Rock should be tied more specifically into the salmon recovery process. The Alliance is actively seeking support from the Yakama Nation and they're planning to use EDT to estimate Black Rock benefits. These positions represent major shifts from those expressed during the watershed planning process just a few years ago.

Lower Columbia River Salmon Recovery Plan Implementation: Region Five Habitat staff participated in a series recovery plan implementation workshops hosted by the Lower Columbia Fish Recovery Board. The purpose of the workshops is to develop a 6-year habitat project work schedule for each of the watersheds within the Lower Columbia in an effort to streamline and focus recovery activities. The workshops were well attended by WDFW, the Regional Fish Enhancement Groups, Conservation Districts, and other key stakeholders. Staff input at the workshops was substantial and resulted in recovery project lists that reflect WDFW priorities and goals. The resulting project lists were based largely on technical analysis (e.g., Ecosystem Diagnosis and Treatment) provided by WDFW staff.

#### MINIMIZE ADVERSE INTERACTIONS BETWEEN HUMANS AND WILDLIFE.

8th Mountain Lion Workshop: The Wildlife Program hosted the 8th Mountain Lion Workshop on May 17-19, 2005, in Leavenworth. The workshop was a great success, with over 150 cougar researchers and managers attending, representing 14 states and 4 countries. The workshop included 31 oral presentations, 17 poster presentations, and presentations from 4 invited speakers (including presentations by Director Koenings and Wildlife Program Assistant Director, Dave Brittell). Proceedings from the workshop will be available by September 2005.

Project CAT: Staff submitted a draft report, entitled "Identifying I-90 Wildlife Corridors using GIS and GPS: spatial-temporal model of landscape use by GPS marked cougars," to Washington Department of Transportation for review.

We submitted a draft manuscript addressing cougar and black bear biology to the Kittitas Wildlife Roundtable publication "Living with Wildlife in Kittitas County." We are continuing to inspect GPS data locations for cougars to document predation events for GPS marked cougars. To date we have inspected >70 predation events for cougars since cougar investigations began in 2001. We are working with teachers and administrators at Cle Elum-Roslyn School District to develop a funding proposal to the Office of the Superintendent of Public Instruction to fund aspects of Project CAT and the newly created Natural Resources Academy at CERSD. We met with community planners and DFW habitat biologist to discuss cougar location data relative to present and planned residential development. We plan to discuss these findings with community planners and members.

GOAL II: SUSTAINABLE FISH AND WILDLIFE-RELATED OPPORTUNITIES  
PROVIDE SUSTAINABLE FISH AND WILDLIFE-RELATED RECREATIONAL AND COMMERCIAL  
OPPORTUNITIES COMPATIBLE WITH MAINTAINING HEALTHY FISH AND WILDLIFE POPULATIONS AND  
HABITATS.

Pacific Whiting Fishery: IRM staff attended a meeting with the Oregon Fish and Wildlife Department, National Marine Fisheries Service (NMFS), and members of the Pacific whiting industry to review elements of this year's Exempted Fishing Permit (EFP) fishery. The EFP provides for the retention and delivery of catches that would otherwise be illegal under existing regulations, including prohibited species such as salmon and halibut, as well as groundfish catches above trip limits. The process of the high-volume fishery is such that sorting of the catch at sea is impractical. NMFS had hoped to terminate the EFP and move the fishery under normal regulations this year, but key questions pertaining to full retention and observation level remain to be answered, thus, requiring an additional year of the EFP program. A mandatory vessel camera monitoring system was conducted last year and will continue this year. A review of this program was conducted at the meeting, in addition to a review of discard events from last season and the reporting requirements for participants in the fishery. Attendance at this pre-season meeting is mandatory for vessel skippers to participate in the 2005 whiting fishery.

Highly Migratory Species Management: IRM staff attended the Pacific Fishery Management Council's (PFMC) Highly Migratory Species (HMS) Management Team meeting in mid-May. Topics of discussion included a review of the status of tuna stocks, primarily bigeye and albacore; a review of an application for an exempted fishing permit using pelagic longline gear; consideration of removing the time/area closures for the California/Oregon drift gillnet fishery for swordfish; and development of a limited entry program for the high seas pelagic longline fishery. With regard to bigeye tuna, NMFS formally declared overfishing is occurring on Pacific bigeye tuna and asked the PFMC to respond with measures to limit fishing mortality on this stock by mid-June 2005. The PFMC will consider adopting a strategy that focuses channeling the PFMC initiatives to international organizations involved in HMS management at its June meeting.

With regard to albacore, a recent stock assessment indicates that overfishing may be occurring on that stock as well. The Inter-American Tropical Tuna Commission (IATTC) has a draft resolution that recommends that the total level of fishing effort for albacore in the eastern Pacific Ocean not be increased beyond current levels. The IATTC is scheduled to approve this resolution at its meeting in June.

Salmon Fishing Near Ledbetter Point Line: Officers took advantage of a flight on a USCG helicopter out of Group Astoria. The purpose was to document the salmon troll boats that were fishing north of the new Ledbetter Point line. Fishermen who fish on either side of this line must land their fish on whichever side they fish on. This rule is important for fish accounting reasons, but also helps control abuses of the limited entry program. Over twenty boats were observed fishing north and will be monitored to see where they attempt to land by comparing fish receiving tickets.

2005 Big Game Pamphlet: The Wildlife Program completed the final edits for the 2005 Big Game Pamphlet. Stores in eastern Washington received pamphlet shipments as early as May 10, and the final, statewide shipments to all license vendors and WDFW Regional offices were completed on Friday, May 13. The big game hunting seasons and rules were posted to the Agency website Friday, May 13.

Watchable Wildlife Conference: The third annual Watchable Wildlife Conference will be held September 28 - 29, 2005, in Friday Harbor on San Juan Island. The keynote speaker is John Heron, formerly of Texas Parks and Wildlife and developer of the Texas Coast Birding Trails. The conference is being jointly hosted by WDFW, CTED's Office of Tourism, and Audubon Washington.

North Coast Recreational Halibut Fishery: The catches in the North Coast recreational halibut fishery during the opening week were phenomenal as a result of good weather and record-high effort in the ports of Neah Bay and La Push. There were 3,637 halibut caught, with an average weight of 20.5 pounds, bringing the catch total to 74,420 pounds for the first week of the season.

South Coast Recreational Halibut Fishery: The catches in the South Coast (Westport) recreational halibut fishery have been fairly steady since the fishery opened on May 1. There have been 1,862 halibut caught, with an average weight of 20.5 pounds, bringing the catch total to 30,191 pounds as of May 22.

Groundfish Management Team: IRM staff attended the PFMC's Groundfish Management Team meeting in Portland the last week of May. Discussions primarily focused on topics being addressed at the June PFMC meeting. Among other things, the PFMC is scheduled to take preliminary action to adopt a range of alternatives for an Individual Quota (IQ) system for the trawl fishery, and final action to select alternatives to protect Essential Fish Habitat (EFH) and Habitat Areas of Particular Concern (HAPCs), including consideration of closing areas to trawl fishing. Other discussions included review of preliminary results of stock assessments for starry flounder, English sole, petrale sole, vermillion rockfish, gopher rockfish, cowcod, California scorpionfish, Pacific Ocean perch, darkblotched rockfish, and cabezon.

WORK WITH TRIBAL GOVERNMENTS TO ENSURE FISH AND WILDLIFE MANAGEMENT OBJECTIVES ARE ACHIEVED

Nisqually River Salmon Harvest Management: Department staff met with Nisqually Tribal staff and policy leaders to discuss and reach agreement on several harvest management issues that were unresolved at the end of North of Falcon negotiations. The meeting ended with likely agreement on joint management plans for 2005 chinook, chum, and steelhead. In addition, significant progress was made toward agreement on management of the Nisqually Tribe's coho fishery conducted in the Sequelitchew area. A major concern addressed how to provide protection for naturally produced South Sound coho that have been sharply declining. A commitment was made to pursue joint planning for these stocks with other South Sound tribes that addressed hatchery production and habitat issues as well as harvest management.

State/Tribal Dungeness Crab Management Plan: The annual management plan for the harvest of Dungeness crab in Marine Areas 11 and 13 was completed for the 2005-2006 season. A pre-season harvest quota of 80,000 pounds was established for Marine Area 11. The recreational share is 40,000 pounds. Marine Area 13 will be managed to provide 50% of the harvest to the state recreational fishery and 50% of the harvest to the treaty fishery. Harvest shares for Marine Areas 11 and 13 are the same as what was established during the 2004-05 season.

The following special management provisions were secured for the non-Indian recreational crab fishery: Quartermaster Harbor (Marine Area 11) will be exclusively reserved for non-Indian recreational crab fishing from July 1 through July 31, 2005. Wollochet Bay (Marine Area 13) will be exclusively reserved for non-Indian recreational crab fishing from June 18 through July 31, 2005.

Irrigation Efficiencies Grants Program: Staff provided updated priority lists for implementation of Irrigation Efficiencies Grants Program projects in areas likely affected by drought. Up to 100% funding will be provided for drought-related project proposals within critical stream reaches within priority streams. Several early action projects are anticipated in the near future in the Walla Walla River and Dungeness River watersheds. Staff also reviewed project proposals in the Methow River watershed (Hancock Creek) and coordinated a review of the project with Yakama Indian Nation staff working on restoration of salmonids in the upper Methow River.

Tribal Final Fisheries Agreement Documents Available: Final versions of the 2005 North of Falcon agreed fisheries, describing all non-Indian and Indian fisheries in Puget Sound, are available. This document reflects all the recreational fisheries included in the sport fishing pamphlet, and also includes non-Indian commercial and tribal fishery dates, areas, and management restrictions.

IMPROVE THE ECONOMIC WELL-BEING OF WASHINGTON BY PROVIDING DIVERSE, HIGH QUALITY RECREATIONAL AND COMMERCIAL OPPORTUNITIES.

Hood Canal Shrimp Fishery Summary: Recreational anglers harvested 73,500 of the 75,000-pound spot shrimp quota during five days of fishing in Hood Canal during 2005 (Table 1). This is the first time since 2001 that the shrimp season lasted more than four days and the first time since 2000 that effort has decreased when compared to historic daily averages.

Skagit and Skykomish Selective Chinook Fisheries: On June 1, portions of both the Skagit and Skykomish opened for an in-river selective chinook opportunity. For the first time in more than a decade chinook were a legal fish in the Skagit River. An 8-mile section of the Skagit between Rockport and the mouth of Cascade River opened for a selective fishery. Angler interest was high with more than 80 boats fishing on the opener. Angler success was reasonably good on the opener (about ½ fish per boat). The ratio of hatchery to wild fish (about 75% hatchery) was about what was expected. Enforcement staff was out in force and report good compliance.

Puget Sound Oyster Enhancement: A total of 1500 bags of Pacific Oyster seeds were planted at various public accessible beaches including Illahee State Park, Sequim Bay State Park, Birch Bay State Park, the WDFW Tidelands at West Penn Cove and North Bay. This should produce 1,350,000 harvestable oysters over the next two to three years.

### GOAL III: OPERATIONAL EXCELLENCE AND PROFESSIONAL SERVICE PROVIDE EXCELLENT PROFESSIONAL SERVICE.

Response to Whale Trapped Between Two Piers: A gray whale was seen swimming in a waterway between two work piers. The whale then appeared to wedge itself between two cement pilings underneath a road pier. WDFW and WSP attempted to notify NMFS and NOAA without success. Media arrived at the Kitsap base and it was decided that the Navy would be working under WDFW's direction. WDFW worked with the navy and a number of agencies to remove the gray whale and transport it to a location for examination.

Regional Management Team: The Region 6 Management Team met with Clallam County staff. During this meeting, county staff stated that they were very pleased working with Habitat staff in the Port Angeles office on regulatory issues. They felt that WDFW staff was professional and responsive. Also received a letter from the Elwha Klallam Tribe commending Chris Byrnes, Habitat Biologist in Port Angeles, for his quick response to investigate a fish kill in the Port Angeles area. Chris's quick action was critical in documenting the fish kill and was much appreciated by the tribe.

Cod and Shrimp Patrol Results: A major emphasis patrol has concluded with land and marine officers working the opening of the ling cod and shrimp seasons in areas 8-2 and 7. The purpose of the patrol was to address the relatively poor compliance that has been observed in the past and respond to citizen complaints regarding high violation rates. Over three days, 149 citations and 60 warnings were issued for a wide variety of offenses to include: possession of undersized lingcod, lingcod closed season (dive fishery - hidden fish), fail to submit catch for inspection, barbed hooks, obstructing a police officer, rockfish over-limit, no license and failing to record halibut. Officers from Snohomish and Skagit counties participated.

### RECRUIT, DEVELOP AND RETAIN A DIVERSE WORKFORCE WITH HIGH PROFESSIONAL STANDARDS.

March 2005 Fish and Wildlife Officer (FWO) 1 Recruitment: The recruitment was opened for six weeks closing in mid-April. In addition to job fairs, the WDFW, CJTC and DOP websites, field officers and other sources, the program placed ads in major newspapers across the state and in nationwide Native American and Hispanic publications. A total of 61 applications were received by the closing date. Of the applicants indicating where they had heard of the opening, only 5 indicated they had found out about it in the papers. The remaining 45 responses indicated they heard via the other recruitment methods. From the 61 applications received:

8 (7 Caucasian male, 1 Caucasian female) were rejected based on initial background screening, 10 (6 Caucasian male, 2 Caucasian female, 1 Native American male and 1 male veteran) failed to meet minimum qualifications and 3 (2 Caucasian male, 1 Caucasian female) were rejected for incomplete applications/paperwork.

40 applicants (26 Caucasian male, 6 Caucasian female, 2 Hispanic male, 1 Hispanic female, 4 male veterans, 1 female veteran) were notified of the Physical Ability Test (PAT) and Written Testing which took place on May 21.

29 applicants attended PAT testing with 5 (1 female, 4 male) candidates failing to meet minimum standards. 24 candidates took the written exam and 8 failed to attain a passing score. 16 candidates will be scheduled to take the Oral Examination and will eventually be placed onto the current register.

Hunter Education In-Service: More than 250 instructors attended the 2005 hunter education in-service training (IST) April 2-3 in Yakima, making this year's IST the largest one ever. Martha Jordan of the Swan Society and Jim Posewitz of the Orion Institute were keynote speakers. A total of 26 course offerings, including archery; shotgun; first aid; firearms care; hunting incident overviews; etc. provided instructors an opportunity to customize their own training.

HPA/FPA Integration Training: As a result of the Forests and Fish Agreement and ESHB 2091, the Forest Practices Rules include protection for non-fish streams normally included in HPAs. In 2004, the Fish and Wildlife Commission adopted a rule waiving the requirement for a HPA for forest practices in or across non-fish streams under a DNR-approved forest practices application. In addition, WDFW and DNR have signed a Memorandum of Agreement that details how the rule will be implemented, including training, monitoring, and reporting requirements. In coordination with DNR, WDFW staff developed and conducted training for Habitat biologists and DNR regulatory staff on the integration of HPAs into the Forest Practices Rules for non-fish waters. Training included outlining roles and responsibilities of the two agencies, resource priorities, and potential impacts, as well as tools to address potential impacts.

RECONNECT WITH THOSE INTERESTED IN WASHINGTON'S FISH AND WILDLIFE.

Roosevelt Elk Festival: Kudos to Region 6 Wildlife Program staff for providing the guidance and assistance in planning the first Roosevelt Elk Festival held at Lake Quinault, Washington. Local community residents worked with WDFW staff to coordinate the two-day festival. More than 150 participants came to enjoy the rainforest and seeking out the elk in lowland meadows and forests. Most participants observed elk, deer, coyotes, and other wildlife. Jack Smith presented an excellent keynote presentation on Roosevelt Elk Ecology and Management.

Land Management Advisory Council (LMAC) Meeting: A quarterly LMAC meeting convened in Ellensburg on Saturday, May 7, 2005. This was the first LMAC meeting for several new members of the council. Mark Quinn welcomed new and existing members and presented an overview of the agency and Lands Division along with an update of the legislative session, WDFW/DNR land exchange, Wild Horse Wind

Farm, and the Lands Vision document. Paul Dahmer presented a review of the wildlife area planning process and discussed LMAC's role in planning. The Council then attended the dedication ceremony for the new Jordan acquisition, a previous inholding surrounded by the Wenas Wildlife Area. The property includes excellent riparian habitat in the Umtanum watershed and a portion of a popular wildlife-viewing trail. The acquisition was a combined effort between WDFW, the Cascade Land Conservancy, and The Nature Conservancy (TNC) with the support and hard work of several local groups.

Seattle Mariners (Radio Spot): A total of forty-nine radio stations, most in Washington State, will air a 30 second advertisement during seven Mariners games in June. The radio advertising spots will attempt to educate Seattle Mariners' listeners about the recreation opportunities available on WDFW's beautiful statewide recreational access sites, but most importantly, to be sure to purchase their Vehicle Use Permits before doing so.

Shellfish Display: Staff participated in Port Townsend's annual Bounty of the Sea Festival, displaying a selection of local clams and oysters and other information on our agency's shellfish programs. Tours of the new crustacean research were also offered to the public, and we held regular screenings of the popular "How to Dig Clams and Shuck Oysters" video throughout the day. Staff also changed informational signs at several local public beaches that closed to sport clamming on May 15.